

REMARKS

Independent claims 1, 10 and 12 have been amended to include the features of claim 2 which has now been canceled. The Summary of the invention has been amended to make it consistent with the claims.

Claims 1-4, 6 and 8-12 were rejected under 35 U.S.C. §102(c) as being anticipated by United States Patent No. 7,066,178 to Gunaratnam. Reconsideration and withdrawal of this rejection is requested.

Gunaratnam discloses a mask (100) with a body portion (112) having an inlet port (116). The mask (100) includes a detachable/attachable cap (114) that is attached to the mask (100) and covers the inlet port (116) to define a vent passage (110). The space between the cover (114) and the mask (100) defines an outlet (118). The separation between the mask body (112) and the cover (114) decreases or remains constant as it approaches the edge of the cover (114).

Each of independent claims 1, 10 and 12 have been amended to specify that the outlet vent comprises a slot formed in the mask and a cover extending over said slot and attached to the mask, such that the separation between the mask and the cover increases to the edge of the cover in order to diffuse said exhaled gases. Gunaratnam does not disclose the separation between the mask and cover increasing to the edge of the cover in order to diffuse exhaled gases. As shown in FIG. 8 of Gunaratnam, the separation between the cover (114) and mask (100) or mask body (112) decreases when going from the vent passage 110 to the edge of the cover (114). This, there is a narrowing of the outlet as seen in FIG. 8 of Gunaratnam. The outlet (118) is narrower than the vent passage (110). The decreased separation between the cover (114) and mask body (112) would not diffuse exhaled gas since the outlet passage is narrowed.

Therefore, Applicant submits that Gunaratnam does not anticipate amended claims 1, 10 and 12. Reconsideration and allowance is requested.

Claims 3, 4, 6, 8 and 9 are dependent upon amended claim 1 which Applicants submit is allowable. Claim 11 is dependent upon amended claim 10 which Applicants submit is allowable. Therefore, Applicants submits that claims 3, 4, 6 and 8-12 are allowable. Reconsideration and allowance is requested.

A Petition for a One-Month Extension of Time and a Request for Continued Examination are concurrently submitted herewith.

Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

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